

Memorandum

MIAMI-DADE
COUNTY

Date: September 11, 2007

GOE
Agenda Item No. 7A

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Miami Shores Village Annexation

Pursuant to Chapter 20-7 (B) of the Miami-Dade County Code and following the required public hearing before the Board of County Commissioners (BCC), the BCC shall take one (1) of the following actions:

- Deny the requested boundary change as presented by Miami Shores Village
- Direct the County Attorney to prepare an appropriate ordinance accomplishing the proposed boundary change.
- Defer such requested boundary change for further consideration at a subsequent meeting.

Recommendation

It is recommended that the Board of County Commissioners, pursuant to the Miami-Dade County Code Chapter 20, approve the boundary change as proposed by Miami Shores Village. This recommendation is based upon a review of a staff report and consideration of the Planning Advisory Board (PAB) recommendations.

Scope

The proposed annexation by Miami Shores Village is for a .037 square mile area contiguous to the Village. The proposed annexation area is bounded by N.W. 111 Street to the south, N.W. 115 Street to the north, N.W. 5 Avenue to the east, and Interstate 95 to the west.

Fiscal Impact/Funding Source

Annexation of the area does not result in a net revenue loss to the Unincorporated Municipal Service Area (UMSA) budget. Based upon the revenues generated and services provided to the area as part of UMSA, a net annual budget savings of approximately \$23,000 should be realized. In addition, the County will retain approximately \$7,600 in franchise fees and \$12,800 in utility taxes. Miami Shores Village is not part of the Miami-Dade County Library District. If the proposed annexation is approved, the Miami-Dade County Library District revenue will be reduced by approximately \$2,370.

Track Record/Monitor

Upon approval of the proposed annexation by the BCC, the County Attorney shall prepare an appropriate ordinance accomplishing the proposed boundary change. The Office of Strategic Business Management will negotiate any interlocal agreements, as required.

Background

On June 22, 2004, the Miami Shores Village Council, pursuant to section 5.04 of the Miami-Dade Home Rule Charter and section 20-3 of the Miami-Dade County Code, approved a resolution initiating a proposed boundary change. On September 15, 2004, Miami Shores Village submitted an application for

annexation, to the Clerk of the BCC. The City's annexation application was accepted by the BCC at the October 19, 2004 meeting and forwarded it to the Office of Strategic Business Management (OSBM) for review, as required by Code. The application was reviewed and considered complete on November 26, 2004.

On June 27, 2005, the Planning Advisory Board (PAB) Incorporation and Annexation Committee reviewed the application and a report prepared by Miami-Dade County staff and recommended approval of the proposed annexation.

The full PAB conducted a public hearing for this proposed annexation on September 12, 2005. The PAB concluded the hearing by adopting a resolution recommending approval of the annexation.

On November 1, 2005, the BCC adopted Ordinance 05-192, suspending consideration of proposed incorporations and annexations until receipt of a report from the County Manager on the effects of Incorporations and Annexations in Miami-Dade County. That suspension halted the progress of the application prior to consideration by the BCC. The County Manager's Report On the Effects of Incorporation and Annexation was presented to the BCC on May 8, 2007, allowing the application to proceed. The annexation staff report was updated in May 2007 and is attached for your review. The updated annexation staff report does not include any significant changes from the 2005 staff report.

The updated annexation staff report supporting my recommendation and the 2005 staff report, as reviewed by the PAB, is attached for your convenience.

Attachments



Jennifer Glazer Moon
Director, Office of Strategic Business Management

Memorandum



Date: July 23, 2007

To: Jennifer Glazer-Moon, Director
Office of Strategic Business Management

From: Jorge M. Fernandez Jr., Coordinator
Incorporation and Annexation Services

Subject: Updated Staff Report for Proposed Boundary Change to Miami Shores Village

Background

On September 15, 2004 Miami Shores Village (The Village) submitted a boundary change application to the Clerk of the Board. The application was referred to and accepted by the Board of County Commissioners (BCC) at the October 19, 2004 BCC meeting and was forwarded to the Office of Strategic Business Management (OSBM) for review and further processing, as required by the Miami-Dade County Code Section 20-3. The Planning Advisory Board (PAB) Incorporation and Annexation Committee and the full Planning Advisory Board reviewed the application and staff report (Attachment E) and passed resolutions recommending approval on June 16, 2005 (Attachment C) and September 12, 2005 (Attachment D.)

On November 1, 2005, the BCC adopted Ordinance 05-192, suspending consideration of certain proposed incorporations and annexations until receipt of a report from the County Manager on the Effects of Incorporations and Annexations in Miami-Dade County. That suspension halted the progress of the Miami Shores application prior to consideration by the BCC. The County Manager's report was presented on May 8, 2007, allowing the application to proceed. All data presented in this report was updated in May 2007.

Analysis

The proposed annexation area is bounded on the north by NW 115th Street, on the south by NW 111th Street, on the east by NW 5th Avenue, on the west by Interstate 95 (Attachment A.) This area is approximately 23.7 acres in size of which 9.5 acres are developed residential and 8.9 are undeveloped. The remaining 5.8 acres are in transportation/roadway uses.

Pursuant to Section 20-6 of the Miami-Dade County Code, the Office of Strategic Business Management submits this updated report for your review and recommendation.

Police

According to the application, Miami Shores Village will provide 24 hour police services to the annexation area at an improved level of service, both in terms of patrol frequency and response time. The Village police station is reported to be located approximately three (3) minutes from the proposed annexation area.

The following MDPD tables portray all calls for uniform and non-uniform police calls within the proposed annexation area for calendar year 2006.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2006	Total Calls	150	5	8	137

Code 3: Emergency call with actual threat or actual danger, responding unit is authorized to drive 20 MPH over the posted speed limit.

Code 2: Priority call with potential threat or potential danger, responding unit is authorized to drive 10 MPH over the posted speed limit.

Year	Part I Crimes	Part II Crimes	Total
2006	10	4	14

Part I Crimes: Uniform Crime Report (UCR) Part I Offenses are those crimes reported to the MDPD in the following classifications; murder and non-negligent manslaughter, robbery, aggravated assault, forcible rape, motor vehicle theft, larceny, burglary and arson. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigations (FBI) through the UCR Program. The classification for the offense is based on a police investigation, as opposed to determinations made by a court, medical examiner, jury, or other judicial body.

Part II Crimes: All crimes not covered under Part I Crimes.

Fire and Rescue

Service in this area is adequate and the proposed annexation will not impact the Miami-Dade Fire Rescue Department's (MDFR) ability to provide service to UMSA or Miami Shores, as long as the Village remains within the Miami Dade Fire Rescue Service District.

MDFR Service provided to the annexation area during the last Three Calendar Years

Annexation Request – Miami Shores Village			
MDFR Service Provided - Average Travel Times – Calendar Years 2004 through 2006			
	2004	2005	2006
Number of Calls CY 2004-2006	18	15	13
Life Threatening Emergencies	6	5	5
Non Life Threatening Emergencies	8	6	5
Other Fire	1	0	0
Other Miscellaneous	3	4	3
Structure Fire	0	0	0
Arrival Times CY 2004-2006			
Life Threatening Emergencies	4:58	4:54	5:02
Non Life Threatening Emergencies	6:53	6:25	6:48
Other Fire	4:43	0:00	0:00
Other Miscellaneous	7:56	7:52	7:48
Structure Fire	0:00	0:00	0:00

Water and Sewer

The proposed annexation area is within the water and sewer service area of the Miami-Dade Water and Sewer Department (WASD). Service is being provided to portions of the area. Future water and sewer service customers within the annexation area would receive service from WASD. WASD would own, operate and maintain any future facilities, whether constructed by the Village or by private developers.

Adequacy and capacity of the County's water and sewer systems are dependent upon the type and timing of the developments or redevelopment proposed to occur within the Village. The annexation would have no impact on WASD's ability to provide services to the remaining unincorporated area in the vicinity.

There are no WASD facilities of countywide significance in the annexation area.

Solid Waste

The Miami-Dade Department of Solid Waste Management (DSWM) currently provides twice weekly garbage collection and weekly trash and recycling services, along with two annual scheduled bulky waste pick-ups. The proposed annexation area is within the Department of Solid Waste Management (DSWM) waste collection service area and accordingly the Department does provide these services to 71 residential units located in the proposed annexation area. In accord with Ordinance No. 96-30, since the Village has entered into the standard twenty-year interlocal agreement with the County for waste disposal, the County may consider delegation of residential waste collection service to the Village.

The Village's annexation request specifically states its intent to assume provision of residential waste collection service. The County may delegate this authority to the Village by interlocal agreement. As mentioned above, the Village already has the requisite twenty-year interlocal agreement for solid waste disposal with the County. Provided the SWM determines that the cumulative impacts of this delegation and those that have taken place since February 16, 1996, do not significantly impact its ability to meet debt service coverage requirements or to hold down the cost of collection, the delegation will be granted. If it is determined that delegation is not appropriate at this time, the County would continue to provide residential waste collection services.

In either scenario, the waste collected from the annexation area will be delivered to a County waste system facility for disposal.

Waste collection services as briefly described in the annexation application appear adequate. Based on the requirements in Ordinance 96-30, the annexation is not expected to have any impacts on the ability of DSWM to provide services to the remaining unincorporated area.

Department of Environmental Resources Management (DERM)

Water Treatment Plant Capacity. As previously stated, the proposed annexation area is presently within the Miami-Dade County water and sewer franchise service area. Currently, the area is served by WASD's Hialeah-Preston Water Treatment Plant, which presently has no restrictions on capacity.

Wastewater Treatment Plant Capacity. The area proposed to be annexed is presently within the Miami-Dade County water and sewer franchise service area. Currently, the area is served by WASD's Interconnected wastewater facilities system, which presently has no restrictions on capacity.

Stormwater Utility (SWU) Program and Fees. Any improved real estate in the proposed annexation area is paying a stormwater utility (SWU) fee to Miami-Dade County. This fee is used by the County to administer stormwater management programs throughout the County. It is expected that these accounts would revert to Miami Shores once the annexation occurs.

There will need to be a transition mechanism by which the County can manage stormwater utility accounts in the annexed area until the Shores can assume the extra accounts. This can be accomplished through an Interlocal Agreement. Until the Miami-Dade County Board of County

Commissioners approves the annexation, all SWU fees collected in the annexation area are available for general UMSA use.

Currently, the stormwater utility accounts in the annexed area are billed through MDWASD. Should Miami Shores wish to continue this arrangement; a separate interlocal agreement will be negotiated. Miami Shores shall be responsible for the pro rata share of debt service on the 1999 and 2004 Stormwater Utility Revenue bonds for the proposed annexation area. Payment to the County for the Village's debt service on these bonds shall initiate immediately upon implementation of the boundary change. Actual costs for debt service shall be determined at the time of the annexation.

Drainage Repair and Maintenance. A check of the County's Water Control Plan reveals no secondary canals within the proposed annexation area.

A cost share for the Federal Emergency Management Agency (FEMA) funded projects may also be necessary if such projects are under construction, have been constructed, or are planned for the proposed annexation area.

Drainage Permitting. All new development requires that drainage systems be provided as part of the project. The objective of these systems is to reduce pollution in stormwater runoff, and reduce flooding impacts to residents.

DERM has received delegated authority to issue permits for the South Florida Water Management District, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. Authority and attendant permits to allow construction of an overflow outfall to a body of water is also countywide, as is performing drainage work in County right of way. The above requirements and authority would exist in the proposed area just as it currently does in Miami Shores.

National Flood Insurance Program (NFIP). The NFIP is a program where FEMA agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards.

In 1993 FEMA mandated that all incorporated areas in Miami-Dade County regulate their own floodplain management ordinance and conduct separate programs. Therefore, when a municipality is incorporated, FEMA requires that municipality to apply to become an NFIP community within six months of incorporation. Miami Shores Village would need to report the newly annexed area to FEMA as part of its FEMA Biennial report.

Stormwater Management Master Plan. Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs in a Stormwater Management Master Plan. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained.

If the proposed annexation is approved, it is likely that the County would have modeling data available for the annexed area. DERM recommends that Miami Shores Village coordinate with the County to obtain this data and use it to improve its Flood Insurance Rate Maps.

National Pollutant Discharge Elimination System (NPDES). NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program, and has been delegated to the State of Florida. Cities must apply to and receive from

the State a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best management programs.

In Miami-Dade County's NPDES permit, a joint permit was created with 24 municipalities and Miami-Dade as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all the parties to the permit share the costs.

Permit records reveal that Miami Shores is a participant in the County's joint permit. Therefore, any outfalls contained within the annexed area would change the Village's cost-share percentage contribution. There is also a permit fee the Village pays yearly to the State for the NPDES permit. The fee would increase if the annexation occurs

Transfer of Roads. Certain County roads located within the proposed annexation area may need to be transferred to the Village. This is accomplished through an Interlocal Agreement between the Village and the County's Public Works Department. This Agreement outlines the subject roads, various road-related services, and the costs and responsibilities of the Village and County for these services. Because County Stormwater utility funds are used to maintain rights-of-way and drainage systems in the County rights-of-way and roads, as well as canal maintenance activities, when transferring these roads DERM should have input into these agreements.

Hazardous and Solid Waste Comments. A review of the DERM database was conducted to identify permitted sites, solid waste sites, and sites with records of current contamination issues within the proposed annexation area. No such sites were identified by staff.

Forest Resources. Section 24-49 of the Code requires the preservation of tree resources. DERM will retain tree preservation jurisdiction unless Miami Shores has enacted or enacts an ordinance that would provide equal or greater preservation provisions than those afforded by the above noted Code Section to the existing tree resources in the proposed annexation area.

Public Works

The Village of Miami Shores maintains all streets within its jurisdiction with the exception of State and County roadways. The proposed annexation area will add .83 centerline miles to the Village, .69 of which are local roads. The County's Public Works Department (PWD) will continue to maintain .14 centerline miles described as follows:

- NW 111th Street from I-95 R/W line to NW 5th Avenue

The proposed annexation area lies within the Northwest Shores Street Lighting Special Taxing District. According to the application, the existing street lighting in the annexation area is similar to that of the Village; both systems are owned and maintained by the Florida Power and Light Company. The District would effect transfer from its FP&L account to the Village's FP&L account of all street lights within the proposed annexation area, and suspend all District special assessments within the proposed annexation area. An Interlocal agreement between Miami-Dade County and the Village of Miami Shores would be required and must include the following provisions: (a) the Village accepts the transfer of the existing FP&L leased streetlights within the annexed area from the District, (b) the Village would bear the cost of providing street lighting within the annexed portion of the District, and (c) the County would no longer bill for the street lighting special assessment within the annexed area. An amendment to the Street Lighting District would not be required.

Park and Recreation

There are no Miami-Dade County parks within the proposed annexation area. The annexation has no impact on the Park and Recreation Department.

Annexation Guidelines:

The following analysis addresses the factors required for consideration by the Planning Advisory Board pursuant to Chapter 20 of the County Code. Will the annexation:

1. Divide a historically recognized community?

The proposed annexation area is entirely located outside a 2000 Census Designated Place (CDP).

2. Result in an annexation that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?

The existing land uses in the proposed annexation area are single-family residential, two-family duplexes, roadways, utilities and vacant land. The existing underlying zoning is a combination of RU-1, Single-family Residential, RU-2, Two-family Residential, and BU-3, Business Liberal – Wholesale. The single-family residential, roadways, utilities and the land under institutional ownership are consistent with the current land uses and zoning within the Village. However, the Village does not have a land use designation and a zoning category that would allow two-family duplexes. If this annexation were to be approved, it should be conditioned to the Village's amending its comprehensive plan and its' zoning code to allow two-family duplexes.

3. Be consistent with the Land Use Plan of the County's Comprehensive Development Master Plan (CDMP).

The future land use designations within the proposed annexation area are "Low Density Residential" and "Low-Medium Density Residential." A brief description of these CDMP land uses follows:

The "Low Density Residential" land use designation allows residential uses at a density range of 2.5 to 6.0 dwelling units per gross acre. The "Low-Medium Density Residential" land use designation allows residential uses at a density range of 6.0 to 13 dwelling units per gross acre.

In its application for annexation, the Village of Miami Shores states that it would adhere to County planned land uses and existing zoning. Adherence to current land use parameters would be consistent with the goals, objectives, policies and Land Use Plan Map of the County's CDMP.

Should this application be approved, the Village should be required to file a comprehensive plan amendment to allow two-family residential/duplexes. This amendment should be followed by amendments to municipal land development (zoning) regulations to permit this housing type.

Development Profile of the Area

The table below reports the 2007 land use profile for the proposed annexation area. Approximately one-fourth of the land in the proposed annexation area consists of roadways while the balance is almost equally divided between residential and institutional.

Table 3
Proposed Village of Miami Shores Annexation Area
2007 Existing Land Use

Land Use	Annexation Area (Acres)	Annexation Area (Percent Of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	9.5	40.3	107,711.5	7.0
Commercial & Office	0.0	0.0	14,769.1	1.0
Industrial	0.0	0.0	16,717.2	1.1
Institutional	8.9	37.6	13,568.1	0.9
Parks/Recreation	0.0	0.0	789,628.2	51.0
Transportation, Communication, Utilities	5.2	22.1	86,666.7	5.6
Agriculture	0.0	0.0	68,463.0	4.4
Undeveloped	0.0	0.0	133,774.1	8.6
Inland Waters	0.0	0.0	317,413.4	20.5
Total:	23.7	100.0	1,548,711.3	100.0

Source: Miami-Dade County Department of Planning and Zoning, Research Section, May, 2007

4. Preserve, if currently qualified, eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state and local government agencies?

This annexation will not impact the County's entitlement and the Village can apply to the County for funding that would benefit low and moderate income people.

5. Impact public safety response time?

Fire and Rescue: Currently, the annexation area is served from MDRF Station 30, "Miami Shores" located at 9500 NE 2 Ave and Station 19, "North Miami" located at 650 NW 131 Street. Average Unit response time in the annexation area is approximately six (6) minutes. If the area is annexed, both stations will continue to serve the area. Response time will not be affected.

Police: In the event the annexation application is successful, the total service area within the UMSA will be reduced by only a small amount thus producing little difference in the amount of services provided by MDPD currently. However, due to continual incorporation and annexation endeavors, the full impact upon UMSA is yet to be determined.

6. Introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

The Miami-Dade County Public Works Department has determined that the proposed Miami Shores annexation does not introduce any barriers to municipal traffic circulation.

7. Result, to the degree possible, in an annexation area served by the same public service franchises, such as cable and communications services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s)?

The Consumer Services Department has determined that the proposed annexation area will continue to be served by the same cable television and telecommunication operators as before. Pursuant to new State law effective July 1, 2007; Miami-Dade County will no longer have the authority to license new cable television companies. Enforcement activities will be limited to Right-of-Way issues only. Therefore the proposed annexation will not have an impact on our ability to enforce Right-of-Way issues as per the Miami-Dade County Code should they arise.

Currently, the proposed annexation area is receiving cable services from Comcast Cable Communications, Inc. There will be no changes in cable services for the proposed annexation area. BellSouth Entertainment has a cable television license for all unincorporated areas, but our records indicate that they are not currently serving this area.

Telecommunications Service Providers are required to register with the County only if they have facilities located within the unincorporated areas. The purpose of the registration process is to determine users of the County's Right-of-Way. Therefore, companies that have facilities within the proposed annexation area will no longer be required to register with the County. Annexing municipalities are responsible for managing their public thoroughfares.

Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

8. Result, if the area has been identified by the federal government as a flood zone or by emergency planners as an evacuation zone, in an annexation area for which the annexing municipality has indicated its preparedness to address any extraordinary needs that may arise?

The entire proposed annexation area is located outside the federally designated 100-year floodplain. The proposed annexation area is not located within any County designated hurricane evacuation zone and residents of the area are not obligated to evacuate when hurricane warnings are issued.

9. Result in an annexation area connected to municipal government offices and commercial centers by public transportation?

There are no MDT bus routes within the annexation area. The routes within 0.5 miles are:

Route 2 on North Miami Ave. which connects with the 163 Street Mall and downtown Miami.
Route 75 on NW 119 St. which connects with MDC-North, North Miami, 163 St. Mall, and Carol Village
Route 77 and 277 on NW 7 Ave. which connects with downtown Miami and Golden Glades.

These three routes do not serve the Miami Shores Village Hall at NE 2 Av. and 100 St. The Village Hall is served by Routes 9 and 10. A passenger could take Rt. 75 and transfer to Rts. 9 and 10 at NE 2 Av. and 119 St. to travel to the Village Hall.

10. Result, to the degree possible, in an annexation area contained in one or more school district boundaries governing admission to elementary, middle and high schools as the adjoining municipal area?

Yes, the area is contained within the same school district boundaries as the adjoining unincorporated area and municipalities. The schools are Hubert O. Sibley Elementary, Thomas Jefferson Middle, and North Miami Senior High.

Demographic Profile

As shown on Table 1, the estimated 2000 Census population of the proposed annexation area is 317 persons while the Village of Miami Shores' population is 10,380 persons. No income data for the proposed annexation area is available since the number of households in this area are found in eight block groups and represent only a small statistical portion of each. The information on Table 2 shows that most of the population residing within the proposed annexation area are black not of Hispanic origin.

Table 1
Social and Economic Characteristics
Village of Miami Shores, Annexation Area and Miami-Dade County

	Miami Shores Annexation Area	Village of Miami Shores	Miami-Dade County
<u>Population Characteristics, 2000</u>	317	10,380	2,253,362
Percent White, Not Hispanic	1.6	48.6	20.7
Percent Black, Not Hispanic	89.0	23.5	19.0
Percent Other, Not Hispanic	2.5	6.2	3.0
Percent Hispanic Origin	6.9	21.7	57.3
<u>Income</u>			
Median Household Income	--	\$56,308	\$35,966
Per-capita Income	--	\$26,134	\$18,497
<u>Housing</u>			
Total Housing Units	74	3,836	852,278
Percent Vacant Housing	4.1	5.3	8.9
Percent Occupied Housing	95.9	94.7	91.1
Percent Owner			
Occupied	46.5	89.4	57.8
Percent Renter			
Occupied	53.5	10.6	42.7

Source: U.S. Census Bureau, Census 2000 Summary File 1 and Summary File 3.

Miami-Dade County, Department of Planning and Zoning, 2007.

Note: Income data for the Miami Shores Annexation Area was not available through the U.S. Census

Table 2
Miami Shores Annexation Area
Population By Race and Hispanic Origin
Miami-Dade County, 2000

Tract	Block	Total Persons	White Not Hispanic	Black Not Hispanic	Other Not Hispanic	Hispanic Origin Any Race
11.02	4000	0	0	0	0	0
11.02	4001(p)	0	0	0	0	0
11.02	4002(p)	0	0	0	0	0
11.02	4003	55	0	55	0	0
11.02	4004	118	1	100	5	12
11.02	4005(p)	21	0	19	1	1
11.02	4006(p)	13	0	13	0	0
11.02	4007	110	4	95	2	9
Total:		317	5	282	8	22
Percent:		100%	1.6%	89.0%	2.5%	6.9%

The following analysis addresses the factors required for Planning Advisory Board and Board of County Commissioners consideration pursuant to Section 20-7 of the County Code:

1. The suitability of the proposed boundaries, in conjunction with the existing municipality, to provide for a municipal community of interest that is both cohesive and inclusive. The proposed annexation area should:
 - A. Not divide a U.S. Census Designated Place to the extent feasible. The proposed annexation area is entirely located outside a 2000 Census Designated Place (CDP).
 - B. Include adjacent areas of ethnic minority and lower income residents in which a majority of those residents have so petitioned. No adjacent unincorporated areas have a majority of ethnic minority or lower income residents that have petitioned to be in the annexation area.
 - C. Have contiguity and not create any unincorporated enclave areas(s). An unincorporated enclave area is defined as an area surrounded by more than 80 percent of its boundaries by one or more municipalities and of a size that could not be serviced efficiently or effectively. The proposed annexation area is not an enclave nor would it create one. In the event that additional annexation requests are made in the area bounded by the municipalities of Miami Shores, El Portal, Biscayne Park, and North Miami and located immediately east of Interstate I-95, all applicants should coordinate their annexation efforts to avoid creating new enclaves.
 - D. Have natural or built barriers as boundaries to the extent feasible. The proposed annexation area, which totals approximately 23.7 acres, is bounded on the north by NW 115 Street (minor road), on the east by NW 5th Avenue (minor road), on the south by NW 111 Street (minor road), and on the west by the Interstate-95 Expressway (major arterial). All boundaries are logical.

2. The existing and proposed projected property tax cost for the municipal-level services to average homeowners in the area currently unincorporated and as included as part of the annexing municipality.

The taxable value within the annexation area is \$5,130,087. At the current Miami Shores millage rate (8.250 mills), the ad valorem revenues attributable to the annexation area would be \$40,207. At the current UMSA millage rate (2.447 mills) including the library district (0.486 mills), the ad valorem revenues attributable to the annexation area would be \$14,295. Miami Shores Village includes their library millage within their municipal millage rate. The expected tax increase would be \$25,912. The average homeowner will pay an additional \$529 in municipal taxes if the proposed annexation is approved.

Existing and Projected Property Tax Cost		
Miami Shores Village		
FY 2006-07		
	Millage Rate	Millage x Taxable Value
Miami Shores Village		
Municipal Millage	8.250	\$40,207
Library Millage	0	0
Total Millage	8.250	\$40,207
Unincorporated Area		
UMSA Millage	2.447	\$11,926
Library Millage	0.486	\$2,369
Total Millage	2.933	\$14,295
Increase	5.317	\$25,912

3. The proposed annexation area is totally contained within the Urban Development Boundary depicted on the Future Land Use Plan map of the Miami-Dade County Comprehensive Development Master Plan.

The entire annexation area is located inside the 2015 Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan (CDMP). The County's Land Use Policy 2B states that "priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the 2015-2025 Land Use Plan Map (LUP)."

4. The impact of the proposal on the revenue base of the unincorporated area, and on the ability of the County to efficiently and effectively provide services to adjacent remaining unincorporated areas.

The total taxable value of the annexation area is \$5,130,087. The area generates an estimated \$42,000 in revenues inclusive of property taxes. The County spends an estimated \$65,000 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated \$23,000 (Attachment B).

Pursuant to Section 20-8.1 and 20-8.2 of the County Code, the County retains all franchise fees and utility tax revenues of the area upon annexation. For the proposed annexation, franchise fees are estimated at \$7,600 and utility taxes are estimated at \$12,800 will be retained by the County.

The average taxable value for all real property in the annexation area is \$96,794. The expected tax increase for the average residential property owner would be \$514. Property owned by Barry University is not taxable.

5. The fiscal impacts of the proposed annexation on the remaining unincorporated areas of Miami-Dade County. Specifically, does the per capita taxable property value of the area fall within the range of \$20,000 to \$48,000?

The per capita taxable value of the annexation area is \$16,183.

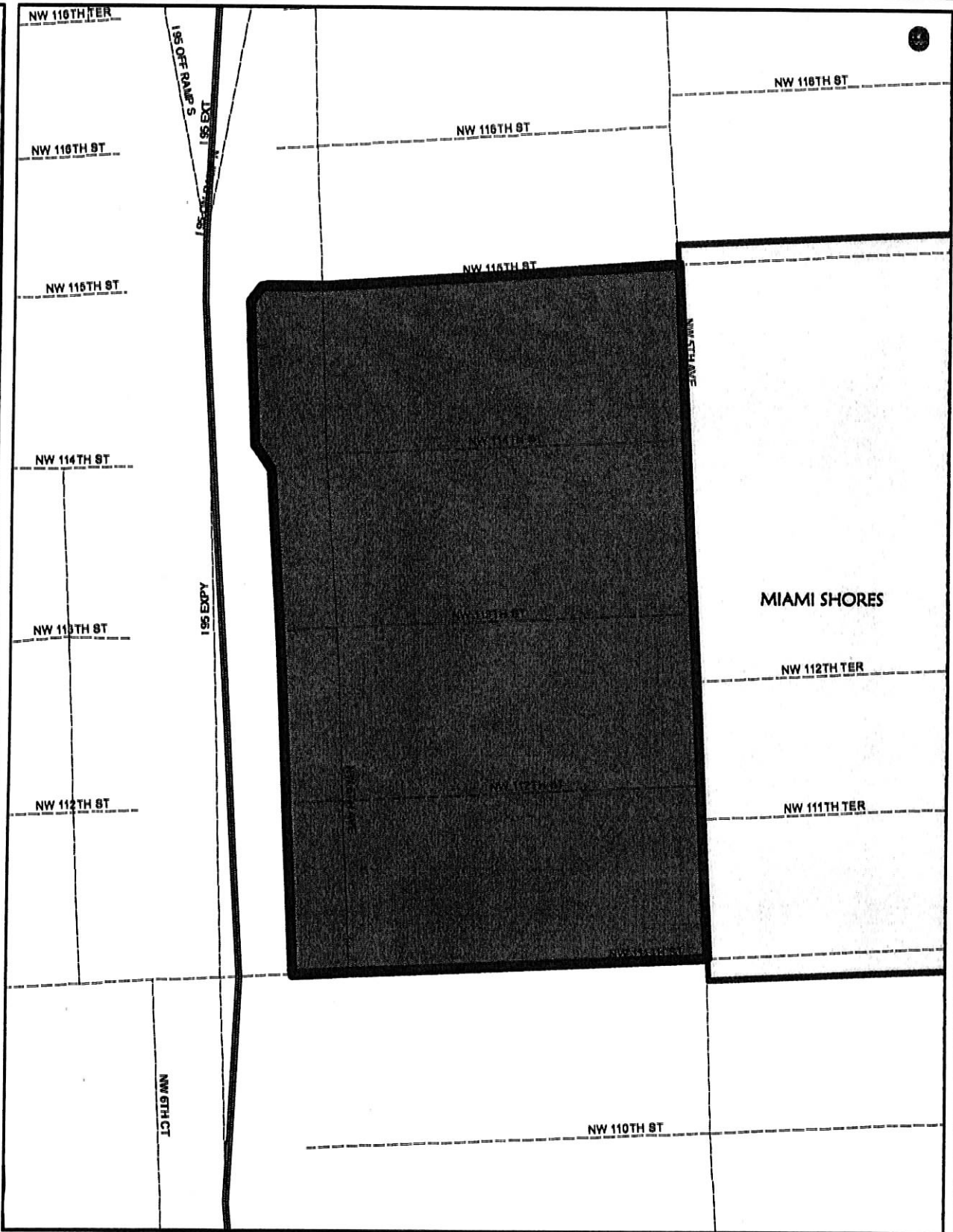
Attachments:

- A. Map of proposed annexation
- B. Estimated Impact on UMSA Budget Statement
- C. Resolution of PAB Incorporation and Annexation Committee
- D. Resolution of PAB

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**Estimated Impact on UMSA Budget
Miami Shores Annexation**

Based on FY 06-07 Budget	Incorporation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	\$12,000
Franchise Fees	County Retains Revenues	
Sales Tax	Allocation based on \$65.30 per person	\$20,701
Utility Taxes	County Retains Revenues	
Communications Tax	Allocated based on tax roll/population	\$8,292
Alcoholic Beverage License	Allocation based on \$0.26 per person	\$83
Occupational License	Allocation based on \$2.65 per person	\$838
Interest	Allocation based on 1.08% of total revenue	\$454
Miscellaneous Revenues	Allocation based on \$0.39 per person	\$124
Revenue to UMSA		\$42,493
Cost of Providing UMSA Services		
Police Department		\$53,389
UMSA Police Budget (without specialized)	\$277,045,951	
Park and Recreation Dept	Based on cost of parks	\$0
Public Works		
Centerline Miles	Centerline miles times cost per lane mile	\$1,403
Planning, Team Metro and others	Direct cost times 9.0%	\$4,931
QNIP (pay-as you-go)	Utility Taxes as a % of debt service 13.1%	\$0
Policy Formulation/Internal Support	Direct cost times 10.2%	\$5,589
Cost of Providing UMSA Services		\$65,313
Net to UMSA		(\$22,820)
<p>1. Does not include gas tax funded projects</p> <p>2. Does not include canal maintenance revenues or expenses</p> <p>3. Does not include proprietary activities: Building, Zoning, Solid Waste</p> <p>4. Does not include Fire and Library Districts</p> <p>5. Revenues are based on allocations not actuals</p> <p>Disclaimer: These calculations do not represent a projected or suggested municipal budget. They indicate only the fiscal impact of this area's incorporation on the remaining UMSA.</p>		
2006 Taxable Property Rolls		\$5,130,087
2000 Area Census Population		317
2006 UMSA Population		1,091,421
2006-07 UMSA Millage		2.447
Patrollable Sq. Miles - UMSA (post Cutler Bay)		443.53
Total Calls For Service - UMSA 2006		649,776
Part 1 Crimes - UMSA 2006		54,753
Part 2 Crimes - UMSA 2006		21,408
Patrollable Sq. Miles - Study Area		0.037
Total Calls for Service - Study Area		150
Part 1 Crimes - Study Area		10
Part 2 Crimes - Study Area		4
Cost per Centerline Mile		\$2,034
Number of Centerline Miles		0.69
Per Capita Taxable Value		\$16,183.24

**RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING
ADVISORY BOARD INCORPORATION AND ANNEXATION
COMMITTEE RECOMMENDING THAT THE PLANNING
ADVISORY BOARD APPROVE THE PROPOSED
ANNEXATION TO THE VILLAGE OF MIAMI SHORES.**

WHEREAS, the Village of Miami Shores has petitioned for the annexation of the area generally described below:

**Area: On the North: NW 115 Street;
On the South: NW 111 Street;
On the West: Interstate 95;
On the East: NW 5 Avenue; and**

WHEREAS, the Board of County Commissioners referred the application to the Planning Advisory Board (PAB); and

WHEREAS, the PAB referred the application to the Incorporation and Annexation Committee which reviewed staff's report dated June 16, 2005 ; and

WHEREAS, on June 27, 2005 the Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the Village of Miami Shores; and

NOW THEREFORE BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD INCORPORATION AND ANNEXATION COMMITTEE, that it recommends the Planning Advisory Board approve the proposed annexation.

The forgoing resolution was offered by Board Member Tim Hyman, who moved its adoption and was seconded by Board Member Christie Sherouse, and upon being put to a vote the vote was as follows:

Jay Sosna	Yes	Wayne Rinehart	Yes
Christie Sherouse	Yes		

Timothy Hyman, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 27th day of June 2005

I hereby certify that the above information reflects the action of the Board.

A handwritten signature in cursive script, appearing to read "Diane O'Quinn Williams", written over a horizontal line.

Diane O'Quinn Williams
Executive Secretary

**RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING
ADVISORY BOARD RECOMMENDING THAT THE BOARD
OF COUNTY COMMISSIONERS APPROVE THE
PROPOSED ANNEXATION TO THE VILLAGE OF MIAMI
SHORES.**

**WHEREAS, the Village of Miami Shores has petitioned for the annexation of the
area generally described below:**

**Area: On the North: NW 115 Street;
On the South: NW 111 Street;
On the West: Interstate 95;
On the East: NW 5 Avenue; and**

**WHEREAS, the Board of County Commissioners referred the application to the
Planning Advisory Board (PAB); and**

**WHEREAS, on June 27, 2005 the Planning Advisory Board Incorporation and
Annexation Committee reviewed staff's report dated June 16, 2005 and recommended
approval of the proposed annexation; and**

**WHEREAS, on September 12, 2005 the Planning Advisory Board held an
advertised public meeting, concerning this application for annexation by the Village of
Miami Shores generally described below:**

**Area: On the North: NW 115 Street;
On the South: NW 111 Street;
On the West: Interstate 95;
On the East: NW 5 Avenue; and**

**NOW THEREFORE BE IT RESOLVED BY THE MIAMI-DADE COUNTY
PLANNING ADVISORY BOARD, that it recommends the Board of County
Commissioners approve the proposed annexation.**


**The forgoing resolution was offered by Board Member Christi Sherouse, who
moved its adoption and was seconded by Board Member Jay Sosna, and upon being
put to a vote the vote was as follows:**

Reginald J. Clyne	Absent	Al Maloof	Absent
Antonio Fraga	Yes	Gonzalo Sanabria	Absent
Julio A. Garuz	No	Christi Sherouse	Yes
Timothy Hyman	Yes	Jay Sosna	Yes
Rod Jude	Yes		

Wayne Rinehart, Chair Absent

The Chair thereupon declared the resolution duly passed and adopted this 12th day of September 2005.

I hereby certify that the above information reflects the action of the Board.



Diane O'Quinn Williams
Executive Secretary

Memorandum

**MIAMI-DADE
COUNTY**

Date: June 20, 2005

To: Honorable Chairperson and Members
Planning Advisory Board

From: Pedro L. Velar *Pedro L. Velar*
Assistant Director, Incorporation and Annexation Services
Office of Strategic Business Management

Subject: Background Information and Fiscal Impact
Miami Shores Village Proposed Annexation

BACKGROUND

On June 22, 2004 the Miami Shores Village Council, pursuant to Section 5.04 of the Miami-Dade Home Rule Charter and Section 20-3 of the Miami-Dade County Code of Ordinances, adopted Village Resolution 1077-04 requesting that the Miami-Dade County Board of County Commissioners approve the annexation of an area located to the west of the Village (shown in Attachments 1 and 2) into the boundaries of the Village. An annexation application was accepted by the Miami-Dade County Commission for review on October 19, 2004 and determined complete by the Office of Strategic Business Management, Incorporation and Annexation Division, on November 26, 2004. Consideration of the application was deferred at the March 23, 2005 meeting of the Boundaries Commission pending adoption by the Village of a resolution amending the above-referenced Resolution 1077-04 to reflect a revised legal description (shown as Attachment 3).

Pursuant to Section 20-6 of the Miami-Dade County Code, my office submits this report for your review and recommendation.

ANALYSIS

The proposed annexation area is bounded by NW 111 Street to the South, NW 115 Street to the North, NW 5 Avenue to the East, and Interstate 95 to the West. It is bordered by Miami Shores Village along its eastern boundary and by unincorporated Miami-Dade County along the remainder of its boundaries. The area is approximately 23.7 acres in size, of which approximately 9.5 acres are developed with residential uses and 8.9 acres are undeveloped. The remaining 5.3 acres are in transportation/roadway use.

According to the application, the proposed annexation will improve coordination of municipal services to Barry University, educational opportunities to annexation-area residents, and law enforcement, street maintenance, and general infrastructure within the proposed annexation area.

Facilities and Services

Police

Currently, direct police services such as patrol, initial response to calls, and general crime investigation are provided by the Miami-Dade Police Department's Intercoastal Station (Police District 6). The following table portrays calls for uniform and non-uniform units within Police Grid 0593, in which the proposed annexation area is located. The proposed annexation area comprises ten percent of this grid.

Calls for Service & Response Times – Grid 0593					
Calendar Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2001	Total Calls	2,772	98	213	2,461
	Average Response	15:30	03:59	04:05	16:57
2002	Total Calls	2,502	103	147	2,252
	Average Response	16:08	04:15	04:19	17:26
2003	Total Calls	2,439	112	173	2,154
	Average Response	17:32	06:01	04:43	19:10

According to the application, Miami Shores Village will provide improved patrol frequency and response time to the proposed annexation area. The application states that the Miami Shores Village police station is located approximately 3 minutes from the annexation area, that the Village currently provides 15 sworn officers per square mile and 3.4 sworn officers per 1,000 population, and that the Village's mean emergency response time is 2 minutes.

In the event that the annexation is successful, the total service area within UMSA will be reduced. Conversely, departmental resources would then be reallocated from the annexed area to the remaining portions of UMSA. As a result of this reallocation, response times within UMSA would be reduced accordingly. However, due to continual incorporation and annexation endeavors, the full impact upon UMSA is yet to be determined.

Fire and Rescue

Fire protection and emergency medical services will continue to be provided by Miami-Dade County. Specifically, the Miami-Dade Fire Rescue Department (MDFR)'s Station 30, located at 9500 NE 2 Avenue in Miami Shores, will be the primary service provider for the proposed annexation area. This Station is equipped with an Engine and a Rescue vehicle and staffed by seven Fire Fighters. Station 19, located at 650 NW 131 Street and equipped with a Rescue vehicle and a 50' Squirt Advanced Life Support Unit, provides additional service to the area.

Unit response time to the annexation area from both stations is approximately six minutes. Service in this area is adequate and the proposed annexation will not impact MDFR's ability to provide service, as long as the Village remains within the Miami-Dade Fire Rescue Service District. However, modification of housing stock within the annexation area by the Village of Miami Shores would have an impact on MDFR's service delivery.

MDFR Service to Proposed Annexation Area – Fiscal Years 1999 through 2003					
Calls for Service & Average Travel Times					
	1999	2000	2001	2002	2003
Number of Calls FY 1999-2003	61	63	58	61	58
Life Threatening Emergencies	26	25	23	28	26
Non Life Threatening Emergencies	17	20	18	15	17
Other Fire	7	9	10	4	7
Other Miscellaneous	10	9	6	12	8
Structure Fire	1	0	1	2	0
Average Unit Travel Time FY1999-2003	05:54	05:57	05:52	05:46	05:51
Life Threatening Emergencies	05:19	04:45	05:01	05:12	05:04
Non Life Threatening Emergencies	05:49	06:05	06:51	06:29	05:47
Other Fire	04:06	04:43	04:36	05:55	05:08
Other Miscellaneous	06:28	05:52	05:56	05:49	05:31
Structure Fire	02:24		03:18	03:02	

Water and Sewer

The proposed annexation area is within the water and sewer service areas of the Miami-Dade Water and Sewer Department (WASD) and service is being provided to portions of the area. Future water and sewer service customers within the annexation area would receive service from WASD. WASD would own, operate and maintain any future facilities, whether constructed by the Village or by private developers. Adequacy and capacity of the County's water and sewer systems are dependent upon the type and timing of the developments or redevelopments proposed to occur within the Village. The annexation would have no impact on WASD's ability to provide services to the remaining unincorporated area in the vicinity.

Solid Waste

The proposed annexation area is within the Miami-Dade County Department of Solid Waste Management (DSWM)'s waste collection service area. The County provides twice weekly garbage collection and weekly trash and recycling services, along with two annual scheduled bulky waste pick-ups.

The annexation application states that the Village will provide twice-weekly residential garbage collection, regularly-scheduled bulk waste pick-up, and weekly recycling services for the proposed annexation area. In accord with Ordinance No. 96-30, since the Village has entered into the standard twenty-year interlocal agreement with the County for waste disposal, the County may consider delegation of residential waste collection service to the City. Provided DSWM determines that the cumulative impacts of this delegation, and those that have taken place since February 16, 1996, do not significantly impact its ability to meet debt service coverage requirements or to hold down the cost of collection, the delegation will be granted. In either scenario, the waste collected from the annexation area will be delivered to a County waste system facility for disposal. Based on

the requirements of Ordinance 96-30, the annexation is not expected to have any impacts on the ability of DSWM to provide services to the remaining unincorporated area.

Environmental Resources Management

Services provided by the Department of Environmental Resources Management (DERM) to the subject area include, but are not limited to:

I. Review and approval or disapproval of development orders, including:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)
- Building Occupancies (Residential and Nonresidential)
- Municipal Occupational Licenses

The department reviews applications for consistency with the requirements of Chapter 24. The review includes, but is not limited to, the following:

- Protection of public potable water supply wellfields
- Potable water supply
- Liquid waste disposal
- Stormwater management and disposal
- Tree resources preservation and protection
- Wetland preservation and protection
- Coastal resources preservation and protection
- Air quality requirements
- Flood protection

II. Operating Permits. Section 24-35 of the Miami-Dade County Code authorizes DERM to require permits for any facility that could be a source of pollution. This includes a wide variety of nonresidential activities or facilities and some ancillary operations to residential land uses.

III. Pollution Prevention and Educational Programs. The DERM Office of Sustainable Environment and Education is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO2 reduction, and environmental education in general.

IV. Enforcement Activities. These include regular inspections of permitted facilities as well as of any potential source of pollution, responses to complaints and general enforcement operations.

Inasmuch as DERM's regulatory activities are enforceable under County Code in both the incorporated and unincorporated area, the Department currently provides the above services to the subject area. Accordingly, annexation of the parcels in question will not affect the Department's ability to provide adequate levels of service.

The ability of DERM to provide adequate services to the area being annexed will not be impaired in any manner by this action nor to the areas adjacent to the parcels being annexed.

Water Treatment Plant Capacity. The area proposed to be annexed is presently within WASD's water and sewer franchised service area. Currently, the area is served by WASD's Hialeah-Preston Water Treatment Plant, which has no restrictions on capacity.

Wastewater Treatment Plant Capacity. The area proposed to be annexed is presently within WASD's water and sewer franchised service area. Currently, the area is served by WASD's interconnected wastewater facilities system, which presently has no restrictions on capacity.

Stormwater Utility (SWU) Program and Fees. At the time of annexation, any improved real estate in the proposed annexation area will be paying a stormwater utility fee to Miami-Dade County. This fee is used to administer stormwater management programs throughout the County. It is expected that these accounts would revert to Miami Shores once the annexation occurs. There will need to be a "transition" mechanism where the County can manage Stormwater Utility accounts in the annexed area until Miami Shores can assume the extra accounts. This can be accomplished through an Interlocal Agreement. Please also note that until the Miami-Dade County Board of County Commissioners approves the annexation, all SWU fees collected in the area of the annexation to that point are still available for general County use. If stormwater utility accounts in the annexed area are billed through WASD, it will be up to the Village to negotiate with WASD to continue this arrangement.

Canal Maintenance Agreement. A check of the County's Water Control Plan reveals no secondary canals within the proposed annexation area. A cost-share for Federal Emergency Management Agency (FEMA) funded projects may also be necessary, if such projects are under construction, have been constructed or are planned for the proposed annexation area.

Drainage Permitting. All new development requires that drainage systems be provided as part of the project. The objective of these systems is to reduce pollution in stormwater runoff, and reduce flooding impacts to residents. DERM has received delegated authority to issue permits for the South Florida Water Management District, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. Authority and attendant permits to allow construction of an overflow outfall to a body of water is also countywide, as is performing drainage works in County rights-of-way. The above requirements and authority would exist in the proposed area the same as it currently does in the Shores.

National Flood Insurance Program (NFIP). The NFIP is a program where FEMA agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards. In 1993 FEMA mandated that all incorporated areas in Miami-Dade County regulate their own floodplain management ordinance and conduct separate programs. Therefore, when a city is incorporated, FEMA requires that city to apply to become an NFIP community within six months of incorporation. The Village of Miami Shores would need to report a

new annexed area as changed incorporated boundaries to FEMA as part of its FEMA biennial report.

Stormwater Management Master Plan. Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained. Although the County cannot model incorporated areas, in certain areas, County roads lie within incorporated boundaries. In these areas the County will model the basins where these roads lie, using the best available data that can be found. Because of the lack of data in these areas, the modeling for these County roads will be limited. County engineers will ask Miami Shores staff if they have any data that would help in modeling these areas. Cooperation between the Village and the County to share this data is critical. The data and models created have other uses besides the County's master plan, such as new Flood Insurance Rate Maps (FIRM), that benefit Village as well as County residents.

National Pollutant Discharge Elimination System (NPDES). NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program, and has now been delegated to the State of Florida. Cities must apply to and receive from the state a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best management programs. In Miami-Dade County's NPDES permit, a joint permit was created with 24 municipalities and Miami-Dade as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling, and all the parties to the permit share the associated costs. Permit records reveal the Village of Miami Shores is a participant in the County's joint permit. Therefore, any outfalls contained within the annexed area would change the Village's cost-share percentage contribution. There is also a permit fee the Village pays yearly to the state for the NPDES permit. The amount of this permit fee will increase if the annexation occurs.

Transfer of Local Roads. Certain County roads located within the proposed annexation may need to be transferred to the Shores. This can be done with an interlocal agreement. This agreement would outline the subject roads, various road-related services, and the costs and responsibilities of the Village and County for these services. Because County Stormwater Utility funds are used to maintain rights-of-way and drainage systems in the County rights-of-way and roads, as well as canal maintenance activities, when transferring those roads the Water Management Division would be the lead agency to execute said agreements.

Hazardous and Solid Waste Comments. A review of the DERM database was conducted to identify permitted sites, solid waste sites, and sites with records of current contamination issues within the proposed annexation area; no such sites were identified.

Forest Resources. Section 24-60 of the County Code requires the preservation of tree resources. DERM will retain tree preservation jurisdiction unless Miami Shores has enacted or enacts an ordinance that would provide equal or greater preservation provisions than those afforded by the above noted Code Section to the existing tree resources in the proposed annexation area.

Wetland Permitting Comments. The proposed annexation area does not contain jurisdictional freshwater wetlands as defined by Chapter 24-3 of the County Code. Therefore, Miami-Dade County will not require a Class IV Permit for work in this site. Additionally, permits from the Army

Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the South Florida Water Management District (1-800-432-2045) may be required for work on these lands.

Public Works

The application states that the Miami Shores Village Public Works Department would assume responsibility for maintenance of streets designated as "local" within the proposed annexation area. The area includes 2.29 lane miles (1.22 centerline miles) of local roads, no County- or State-maintained roads, no County-maintained canals, and no County road, bridge, or canal maintenance facilities.

The proposed annexation area lies within the Northwest Shores Street Lighting Special Taxing District. According to the application, the existing street lighting in the annexation area is similar to that of the Village, both systems are owned and maintained by the Florida Power and Light Company. The District would effect transfer from its FP&L account to the Village's FP&L account of all street lights within the proposed annexation area, and suspend all District special assessment within the proposed annexation area. Amendment to the Street Lighting District would not be required should the annexation occur. However, approval of this application should be subject to execution of an interlocal agreement between Miami-Dade County and the Village of Miami Shores including the following provisions: (1) the Village accepts the transfer of the existing FP&L leased streetlights within the annexed area from the District, (2) the Village would provide street lighting services within the annexed area of the District, and (3) the County would suspend all District special assessment within the annexed area.

Parks and Recreation

There are no parks located within the proposed annexation area. According to the application, Miami Shores Village has sufficient park and recreation facilities to accommodate the residents of the annexation area, including a Recreational Complex (consisting of a community center, field house, basketball and tennis courts, and tot lot), aquatic center, and four neighborhood parks.

Annexation Guidelines

The following analysis addresses the factors required for Planning Advisory Board consideration pursuant to Section 20-6 of the County Code. Will the annexation:

1. Divide a historically recognized community?

The proposed annexation area does not divide a Census Designated Place (an officially or historically recognized traditional community).

2. Result in an annexation area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?

The annexation application states that the Village will adhere to County planned land uses and existing zoning for the proposed annexation area, and will amend its Comprehensive Plan and Zoning Code to permit uses for which these regulations currently do not provide. Such adherence to current land use parameters would be

consistent with the goals, objectives, policies, and Land Use Plan Map of the County's Comprehensive Development Master Plan.

The future land use designations within the proposed annexation area are *Low Density Residential* and *Low-Medium Density Residential*. A brief description of these CDMF land uses follows:

The *Low Density Residential* land use designation allows residential uses at a density range of 2.5 to 6.0 dwelling units per gross acre. The *Low-Medium Density Residential* land use designation allows residential uses at a density of up to 13 dwelling units per gross acre.

The existing land uses in the area are single-family residential, two-family duplex, roadway, utility, and vacant land. The existing underlying zoning is a combination of *RU-1 Single-Family Residential*, *RU-2 Two-Family Residential*, and *BU-3 Business Liberal-Wholesale*. The single-family residential, roadways, utilities, and the vacant land under institutional ownership are consistent with the current land uses and zoning within the Village. However, the Village does not have a land use designation and a zoning category that would allow two-family duplexes. The Planning and Zoning Department recommends that the proposed annexation be approved subject to an interlocal agreement with the Village assuring that the Village will: (a) file a comprehensive plan amendment to allow two-family residential/duplex use, and (b) amend its land development (zoning) regulations to allow two-family residential/duplex use.

3. Preserve, if currently qualified, eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state and local government agencies?

The annexation will impact the West Little River Neighborhood Revitalization Strategy Area, specifically Census Tract 11.02, Block Group 4. The proposal will include only a portion of the eligible block group. The Miami-Dade County Office of Community and Economic Development prefers that block groups not be split, as this makes it more difficult to complete demographic analysis. The eligible block group extends from the southern most boundary of NE 103 Street to the northern most boundary of NE 115 Street. This will have a small impact on the CDBG entitlement for Miami-Dade County. Although this is an eligible block group, the population is less than fifty thousand so it is not eligible to be a US HUD entitlement city. The Village can still participate in the County's "participating municipality" program.

4. Impact public safety response times?

Police: In the event that the annexation is successful, the total service area within UMSA will be reduced. Conversely, departmental resources would then be reallocated from the annexed area to the remaining portions of UMSA. As a result of this reallocation, response times within UMSA would be reduced accordingly. However, due to continual incorporation and annexation endeavors, the full impact upon UMSA is yet to be determined.

Fire and Rescue: Fire protection and emergency medical services will continue to be provided by Miami-Dade County. Service in this area is adequate and the proposed

annexation will not impact MDR's ability to provide service, as long as the Village remains within the Miami Dade Fire Rescue service District. However, modification of housing stock within the annexation area by the Village of Miami Shores would have an impact on MDR's service delivery.

5. Introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

No, the annexation area contains no such barriers.

6. Result, to the degree possible, in an annexation area served by the same public service franchises, such as cable and communication services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s)?

The proposed Miami Shores annexation area will continue to be served by the same cable television and telecommunication operators as before. The proposed annexation will not have an impact on the ability of the Miami-Dade County Consumer Services Department (CSD) to license and enforce County cable TV regulations.

Currently, the Miami Shores annexation area is receiving cable services from Comcast Cable Communications, Inc. There will be no changes in cable services for the proposed annexed area. BellSouth Entertainment has a cable television license for all unincorporated areas, but CSD's records indicate that they are not currently serving this area.

Telecommunications Service Providers are required to register with the County only if they have facilities located within the unincorporated areas. The purpose of the registration process is to determine users of the County's rights-of-way. Therefore, companies that have facilities within the proposed Miami Shores annexation area will no longer be required to register with the County. Municipalities requesting annexation will be responsible for managing their public thoroughfares.

Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

7. Result, if the area has been identified by the federal government as a flood zone or by emergency planners as an evacuation zone, in an annexation area for which the annexing municipality has indicated its preparedness to address any extraordinary needs that may arise?

The entire proposed annexation area is located outside the federally designated, 100-year floodplain. Also, the proposed annexation area is not located within any County designated hurricane evacuation zone and residents of the area are not obligated to evacuate when hurricane warnings are issued.

8. Result in an annexation area connected to municipal government offices and commercial centers by public transportation?

Currently there is no transit service to the proposed annexation area. The closest existing Metrobus service includes Route 75 (east-west) at NW 119 Street and Route 2 (north-south) on North Miami Avenue. Route 95X also provides service on I-95; however, this is closed-door service connecting Downtown Miami and Golden Glades. No future plans exist to add service to the area.

9. Result, to the degree possible, in an annexation area contained in one or more school district boundaries governing admission to elementary, middle and high schools as the adjoining municipal area?

Yes, the area is contained within the same school district boundaries as the adjoining unincorporated area and municipalities. The schools are Hubert O. Sibley Elementary, Thomas Jefferson Middle, and North Miami Senior High.

The following analysis addresses the factors required for Planning Advisory Board and Board of County Commissioners consideration pursuant to Section 20-7 of the County Code:

1. The suitability of the proposed boundaries, in conjunction with the existing municipality, to provide for a municipal community of interest that is both cohesive and inclusive. The proposed annexation area should:
 - A. Not divide a U.S. Census Designated Place, to the extent feasible. The proposed annexation area does not divide a Census Designated Place.
 - B. Include adjacent areas of ethnic minority and lower income residents in which a majority of those residents have so petitioned. No adjacent unincorporated areas have a majority of ethnic minority or lower income residents that have petitioned to be in the annexation area.
 - C. Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be surrounded on more than 80 percent of its boundary by one or more municipalities and of a size that could not be serviced efficiently or effectively. The proposed annexation area is contiguous to the Village of Miami Shores and would not create an unincorporated enclave unless the area currently recommended for incorporation by the North Dade Municipal Advisory Committee should become a municipality prior to approval of the proposed annexation.
 - D. Have natural or built barriers as boundaries, to the extent feasible. The proposed annexation area, which totals approximately 24 acres, is bounded on the north by NW 115th Street (minor road), on the east by NW 5th Avenue (minor road), on the south by NW 111th Street (minor road), and on the west by the Interstate 95 Expressway (major arterial). All boundaries are logical.
2. The existing and proposed projected property tax cost for the municipal-level services to average homeowners in the area currently unincorporated and as included as part of the annexing municipality.

The existing property tax cost for municipal services to the average property owner in the proposed annexation area is \$38.45, while the projected property tax cost after annexation is \$108.14. This represents a projected increase of \$69.70. These figures were calculated as follows:

Existing and Projected Property Tax Cost	
Village of Miami Shores	
Per Capita Taxable Value	\$13,108
Library Millage	Included in municipal millage
Municipal Millage	8.25
Total Millage	8.25
Property Tax Amount	\$108.14
Unincorporated Miami-Dade County	
Per Capita Taxable Value	\$13,108
Library District Millage	0.486
UMSA Millage	2.447
Total Millage	2.933
Property Tax Amount	\$38.45
Increase to Annexation Area	\$69.70

3. The proposed annexation area is totally contained within the Urban Development Boundary depicted on the Future Land Use Plan map of the Miami-Dade County Comprehensive Development Master Plan.

The entire annexation area is located inside the 2005 Urban Development Boundary of the County's Comprehensive Development Master Plan (CDMP). The County's Land Use Policy 2B states that "priority in the provision of services and facilities and the allocation of financial resources for services and facilities in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the 2005-2015 Land Use Plan Map (LUP)."

4. The impact of the proposal on the revenue base of the unincorporated area, and on the ability of the County to efficiently and effectively provide services to adjacent remaining unincorporated areas.

The total taxable value of the annexation area is \$4,155,208. The area generates approximately \$55,000 in UMSA revenues, of which the County would retain approximately \$18,000 if the annexation is completed. The County spends approximately \$69,000 per year providing services to the area. Therefore, the net revenue gain to UMSA is approximately \$32,000. The UMSA revenues and expenses are derived using various factors such as taxable values, population, number of police calls for service, cost per lane mile, and number of lane miles in the proposed annexation area. These factors are used in conjunction with formulas to calculate average revenue and expense figures for the area. (See Impact to UMSA Worksheet at Attachment 4.)

Sections 20-8.1 and 20-8.2 of the County Code allow the County to retain all franchise fees for the term of the current franchise agreement, and utility tax revenues in perpetuity, for the annexation area. For the proposed annexation area, franchise fees totaling approximately \$6,000 and utility taxes of approximately \$12,000 will be retained by Miami-Dade County.

5. The financial impacts of the proposed annexation on the remaining unincorporated areas of Miami-Dade County. Specifically, does the per capita taxable property value of the area fall within the range of \$20,000 to \$48,000?

The per capita taxable value of the area, at \$13,108, does not fall within the range of \$20,000 to \$48,000.

Additional Information for Consideration

Consideration of this application was deferred at the March 23, 2005 meeting of the Boundaries Commission pending adoption by the Village of a resolution approving a revised legal description. Resolution 1094-05, adopted by the Village on April 5, 2005 (and shown as Attachment 3), amends Resolution 1077-04, which initiated this application.

The proposed annexation area lies within the Northwest Shores Street Lighting Special Taxing District. According to the application, the existing street lighting in the annexation area is similar to that of the Village; both systems are owned and maintained by the Florida Power and Light Company. The District would effect transfer from its FP&L account to the Village's FP&L account of all street lights within the proposed annexation area, and suspend all District special assessment within the proposed annexation area. An interlocal agreement between Miami-Dade County and the Village of Miami Shores would include the following provisions: (a) the Village accepts the transfer of the existing FP&L leased streetlights within the annexed area from the District, (b) the Village would provide street lighting services within the annexed area of the District, and (c) the County would suspend all District special assessment within the annexed area. Amendment to the Street Lighting District would not be required.

It is requested that the Planning Advisory Board take one of the following actions:

1. Approve the proposed boundary change,
2. Approve the proposed boundary change on a modified basis,
3. Defer the proposed boundary change for more information,
4. Defer the proposed boundary change to permit modification, or
5. Deny the proposed boundary change.

Attachment 1: Map of Proposed Annexation Area
Attachment 2: Map of Vicinity of Proposed Annexation Area
Attachment 3: Village Resolution 1094-05 with Revised Legal Description
Attachment 4: Impact to UMSA Worksheet

c: Joseph A. Ruiz, Assistant County Manager
Jennifer Glazer-Moon, Director, Office of Strategic Business Management

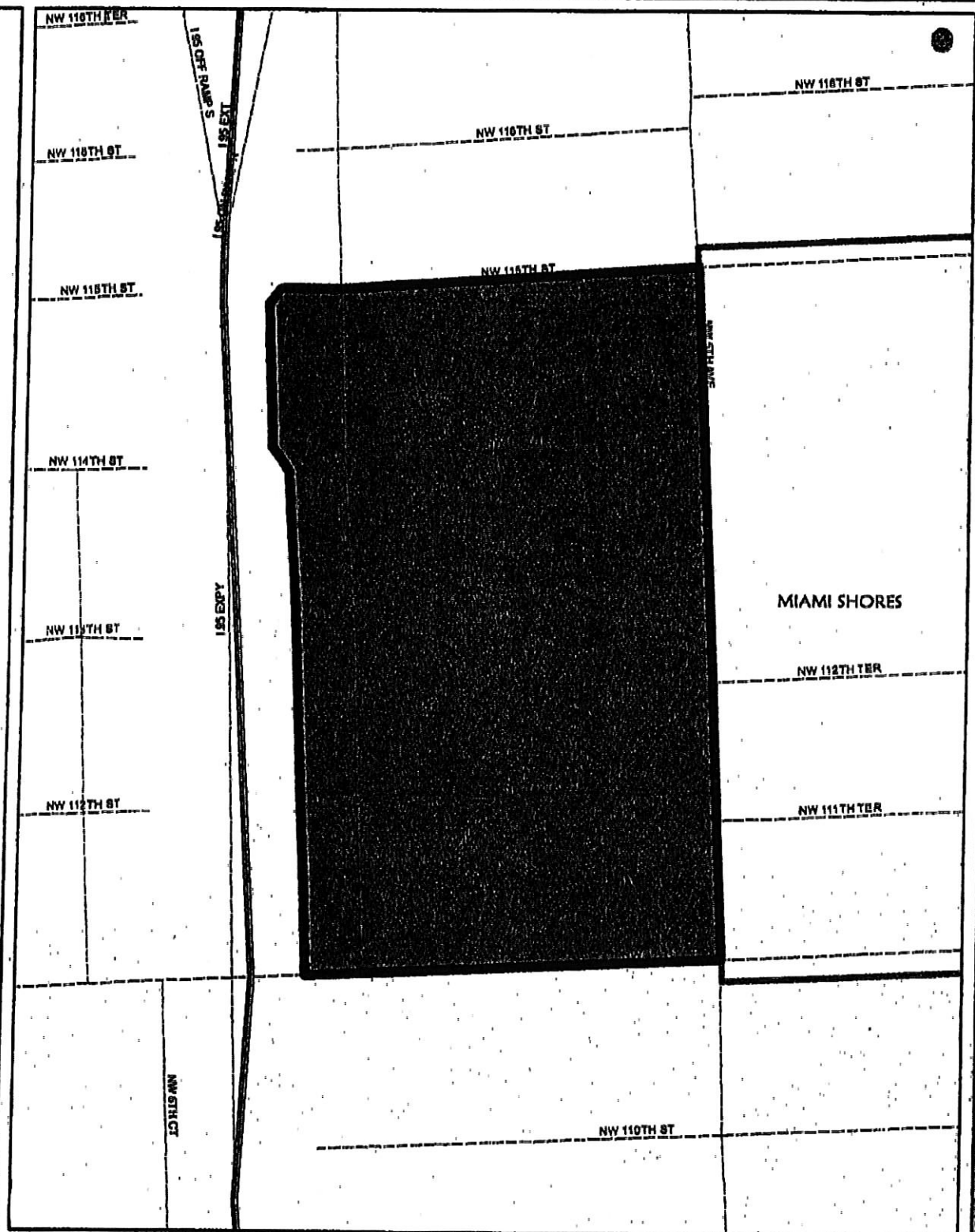
Attachment 1:

Map of Proposed Annexation Area

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Miami Shores Proposed Annexation



0 0.5 1 1.5 Miles

miamishores.gov



Current Municipality

Legend



Proposed Annexation



Highway



Major Road



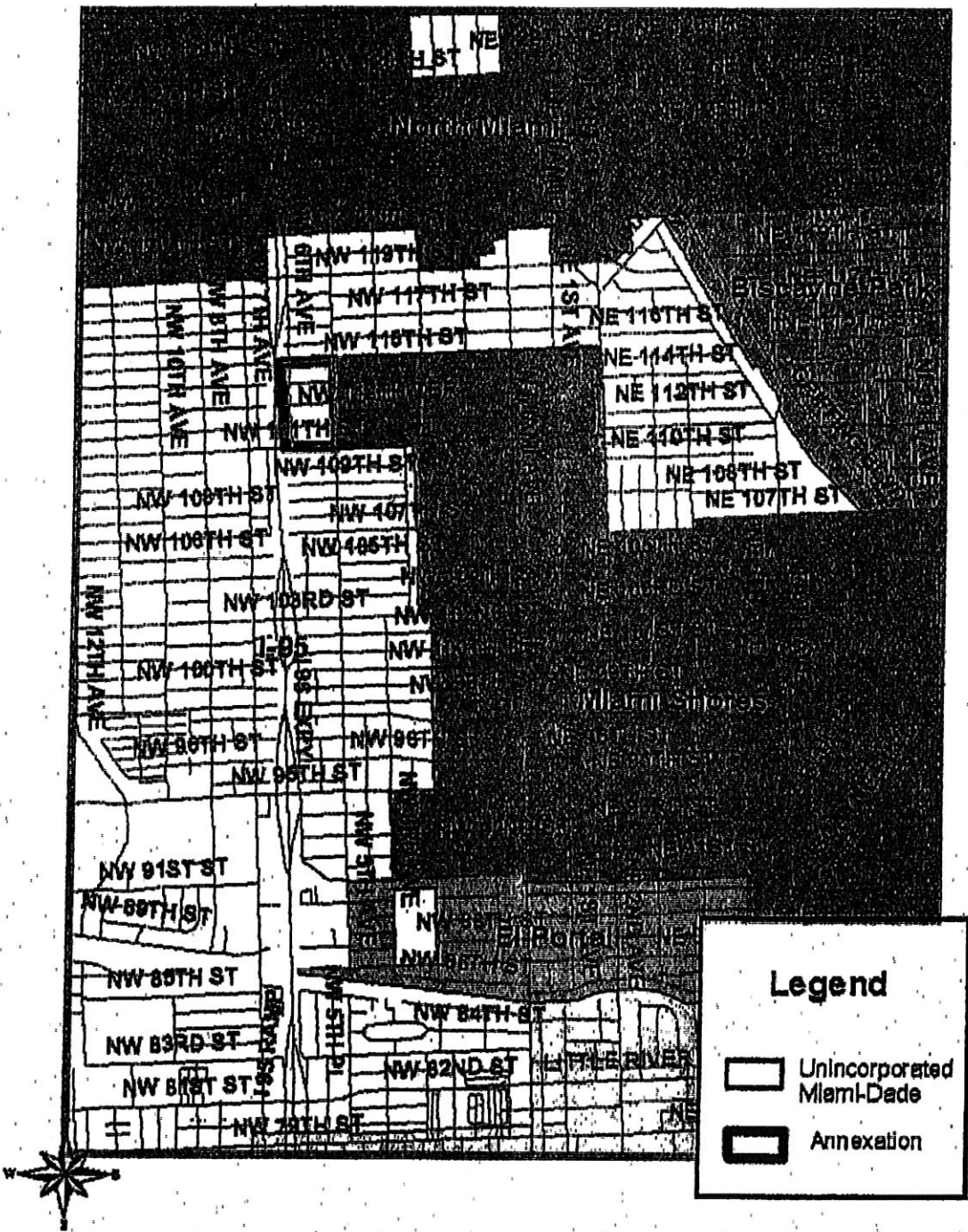
Street

This map was prepared by the Miami Shores City
Engineering Department
Planning & Zoning Division
October 20, 2014
For the Office of City Manager
Administration and Planning
and Municipal Contracting Services



Attachment 2: Map of Vicinity of Proposed Annexation Area

Vicinity of the Miami Shores'
Proposed Annexation Area



Attachment 3:

Village Resolution 1094-05 with Revised Legal Description

RESOLUTION NO. 1094-05

A RESOLUTION OF THE MIAMI SHORES VILLAGE COUNCIL,
AMENDING RESOLUTION NUMBER 1077-04 ADOPTED JUNE 22, 2004,
APPROVING THE INITIATION OF A PROPOSED MUNICIPAL
BOUNDARY CHANGE PURSUANT TO SECTION 20-3, MIAMI-DADE
COUNTY CODE OF ORDINANCES SO AS TO INCLUDE DE-ANNEXATION
WHERE APPROPRIATE.

WHEREAS, the Miami Shores Village Council, at its regular meeting of June 22, 2004 adopted Resolution number 1077-04 (see Exhibit "A"), formally requesting the Board of County Commissioners to modify the Village Boundary by annexing an area of Unincorporated Miami-Dade County; and

WHEREAS, the Miami Shores Village Council reaffirms its request to have the Board of County Commissioners modify the Village Boundary by annexing an area of Unincorporated Miami-Dade County as described in Exhibit "B" attached; and,

WHEREAS, during preliminary discussions with County staff it was discovered that the actual Village boundaries as defined in the Charter's legal description differed from boundaries thought to be accurate; and

WHEREAS, in order to more accurately reflect the historical service and maintenance responsibilities provided by Miami Shores Village, the Village is proposing to de-annex the property described in Exhibit "C" attached;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MIAMI SHORES VILLAGE,
FLORIDA:

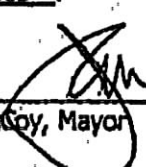
Section 1. That Resolution Number 1077-04 be amended so as to indicate both that the Village Council formally requests the Board of County Commissioners to modify the Village boundaries as described in Exhibit "B" be annexed and as described in Exhibit "C" be de-annexed, all pursuant to Section 20-3, Miami-Dade County Code.

Section 2. This resolution, upon its adoption by the Miami Shores Village Council, shall become effective nunc pro tunc as of June 22, 2004.

PASSED AND ADOPTED THIS 5th day of April, 2005.

ATTEST:


Barbara A. Estep, CMC
Village Clerk


Jim McCoy, Mayor

APPROVED AS TO FORM:

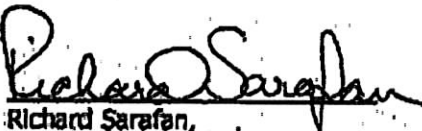

Richard Sarafan,
Village Attorney

EXHIBIT "A"

RESOLUTION NO. 1077-04

A RESOLUTION OF THE MIAMI SHORES VILLAGE COUNCIL,
APPROVING THE INITIATION OF A PROPOSED MUNICIPAL
BOUNDARY CHANGE PURSUANT TO SECTION 20-3, MIAMI-DADE
COUNTY CODE OF ORDINANCES.

WHEREAS, the Miami Shores Village Council directed the Village Manager to evaluate the feasibility of annexing a small area of Unincorporated Miami-Dade County, described as: Seventh Avenue Subdivision (Plat Book 19, Page 79), Lots 1-38 of Block 1, Lots 1-8 of Block 2 and Lots 32-38 of Block 2, as well as in the West Shores Subdivision (Plat Book 42, Page 18), Lots 1-20 of Block 6, Lots 10-15 of Block 1, Lots 10-15 of Block 2, Lots 1-20 of Block 5, Lots 1-20 of Block 4, and Lots 10-15 of Block 3; the street boundaries of which are the north side of NW 111th Street north to the south side of NW 115th Street from NW 5th Avenue west to Interstate 95 (exclusive of the Department of Transportation's right-of-way), all situated to the northwest of the current Village boundaries; and,

WHEREAS, the Miami Shores Village Council, at its regular meeting of April 6, 2004, directed the Village Manager to proceed with an annexation application by giving written notice to property owners within the proposed area to be annexed and within 600 feet of the boundaries of the proposed area to be annexed, according to the current tax assessment roll, prior to the public hearing on Tuesday, June 22, 2004, where a resolution to initiate the municipal boundary change would be considered by the Village Council, in accordance with Section 20-3, Miami-Dade County Code; and,

WHEREAS, Miami Shores has noticed the public hearing to initiate the municipal boundary change in a newspaper in Miami-Dade County at least five (5) days before the public hearing; and

WHEREAS, information regarding this proposed municipal boundary change is available at Village Hall for public inspection, including a map of the area; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA:

Section 1. The statements made above are correct and are part of this resolution.

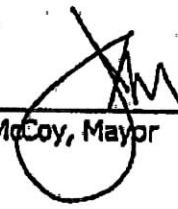
Section 2. The Village Council, through this resolution, formally requests the Board of County Commissioners to modify the Village boundary to include the area to be annexed as referenced above, pursuant to Section 20-3, Miami-Dade County Code.

Section 3. The Village Manager shall complete all documents and maps required by Section 20-3, Miami-Dade County Code, and respond to any questions posed by the Staff or Administration of Miami-Dade County concerning this resolution and the annexation application.

Section 4. The Village Clerk shall distribute certified copies of this resolution and the annexation application to the Clerk of the County Commission in accordance with Section 20-3, Miami-Dade County Code.

Section 5. This resolution shall become effective upon its adoption by the Miami Shores Village Council.

PASSED AND ADOPTED THIS 22nd day of June, 2004.



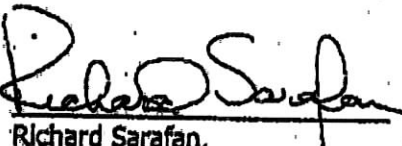
Jim McCoy, Mayor

ATTEST:



Barbara A. Estep, CMC
Village Clerk

APPROVED AS TO FORM:



Richard Sarafan,
Village Attorney

EXHIBIT "B"

That portion of Miami Dade County, Florida, in Section 36, Township 52 South, Range 41 East, bounded on the north by the center line of NW 115th Street, bounded on the South by the center line of NW 111th Street, bounded on the West by the easterly Limited Access right-of-way line of Interstate 95, and bounded on the East by the existing boundary of Miami Shores Village along the centerline of NW 5th Avenue.

EXHIBIT "C"

A portion of NW and NE 115th Street, right-of-way, located in Section 36, Township 52 South, Range 41 East of Miami Dade County, Florida, more particularly described as follows:

Bounded on the north by the northerly right-of-way line of NW and NE 115th Street; bounded on the south by the centerline of NW and NE 115th Street (said centerline of NW and NE 115th Street being the north line of the south $\frac{1}{2}$ of the north $\frac{1}{2}$ of the east $\frac{3}{4}$ of said Section 36 and the easterly extension thereof), bounded on the west by the centerline of NW 5th Avenue. Bounded on the east by the east right-of-way line of NE 2nd Avenue.

A portion of NW 111th Street right-of-way, located in Section 36, Township 52 South, Range 41 East of Miami Dade County, Florida and more particularly described as follows:

Bounded on the north by the centerline of NW 111th Street, bounded on the south by the southerly right-of-way line of NW 111th Street, bounded on the west by the centerline of NW 5th Avenue, bounded on the east by the northerly projection of the west property line of lot 24 of the plat of Shoreland Heights as recorded in Plat Book 43 at Page 85 of the Public Records of Miami-Dade County, Florida.

A portion of NE 2nd Avenue right-of-way, located in Section 31, Township 52 South, Range 42 East of Miami Dade County, Florida and more particularly described as follows:

Bounded on the north by the northerly right-of-way line of NE 115th Street, bounded on the south by the centerline of NE 107th Street; bounded on the west by the centerline of NE 2nd Avenue, bounded on the east by the east, right-of-way line of NE 2nd Avenue.

Attachment 4: Impact to UMSA Worksheet

**Miami Shores Annexation
Estimated Impact on UMSA Budget**

Attachment 4

Based on FY 04-05 Budget	Assumptions	
2004 Taxable Property Rolls		\$4,155,208
2000 Census Population		317
2004-05 UMSA Millage		2.447
Police Calls for Service for 2003		243
Cost per Police Call		\$231
Cost per Lane Mile		\$1,123
Number of Lane Miles		2.29
Per Capita Taxable Value		\$13,108
Gross Revenue Loss to UMSA		
Property Tax Revenue	<i>Allocation based on tax roll & millage</i>	\$10,000
Franchise Fees *	<i>Allocation based on tax roll/population</i>	
Sales Tax	<i>Allocation based on \$55.37 per person</i>	\$18,000
Utility Taxes *	<i>Allocation based on tax roll/population</i>	
Communications Tax	<i>Allocated based on tax roll/population</i>	\$8,000
Alcoholic Beverage License	<i>Allocation based on \$0.26 per person</i>	\$0
Occupational License	<i>Allocation based on \$3.67 per person</i>	\$1,000
Interest	<i>Allocation based on .33% of all revenues</i>	\$0
Miscellaneous Revenues	<i>Allocation based on \$0.58 per person</i>	\$0
Gross Revenue Loss to UMSA		\$37,000
Cost of Providing UMSA Services		
Police Department	<i>Based on police calls</i>	
Local Patrol		\$44,282
Specialized & Other		\$11,771
Parks and Recreation Department	<i>Based on cost of parks</i>	\$0
Public Works Department	<i>Based on lane miles (x cost/lane mile)</i>	\$2,572
Planning, Team Metro and others	<i>Direct cost times 10.5%</i>	\$6,156
Policy Formulation/Internal Support	<i>Direct cost times 7.2%</i>	\$4,221
Cost of Providing UMSA Services		\$69,001
Net Budget Loss to UMSA		(\$32,001)
Assumptions:		
1. Does not include gas tax funded projects		
2. Does not include canal maintenance revenues or expenses		
3. Does not include proprietary activities: Building, Zoning, Solid Waste		
4. Does not include Fire and Library Districts		
5. Revenues are based on allocations not actuals		
* Franchise fees and utility taxes are retained by Miami-Dade County:		
	Franchise Fees	\$6,000
	Utility Taxes	\$12,000